Advanced Legal Research

Fall 2010 Syllabus
Fridays, 4-7 PM
Room 240A
Professor Grace Mills

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Office hours: Tuesdays, Wednesdays and Thursdays, 2-4 PM and by appointment

Course Overview:

Legal research is a critical skill one needs for practicing law in this ever changing global environment. United States domestic case and statutory law are not the only legal sources an attorney may need to consult. We will investigate US legislative, US administrative, and US executive orders as well. Our research will include foreign and international legal research sources. Finding the law is as crucial as writing and communicating it to one's client.

This semester we will investigate the research sources needed to address a legal problem. I am interested in the process of legal research you used so you can answer your problem.

Each class participant will take on the role of a practicing attorney: class participants will be divided into specific groups. Collaboration, cooperation and communication between parties are critical skills needed by attorneys. A presentation and a paper by each group are required.

Required textbook:

Where The Law Is: An Introduction to Advanced Legal Research, Third Edition by J.D.S. Armstrong and Christopher A. Knott.

The Bluebook, 19th Edition will be used to find sources and correct citations.

CALI Lessons are optional and listed on the course's TWEN site. These are very useful as refresher exercises and for those resources you have not yet encountered.

Learning Outcomes of This Course:

At the conclusion of this course it is anticipated that students will have the following learning outcomes:

1. Identify the strategies needed for a successful plan of legal research.
2. Demonstrate an understanding of, and a facility with, the sources used in successful legal research: both electronic and print.
3. Prepare a complete legal research plan within the limitations of a budget.
4. Successfully communicate one's results verbally and in writing.

Preparation, Participation and Attendance:

This course is an upper level elective class and I expect that you are interested in sharpening your legal research skills. This course will be highly interactive and will depend upon the participation of all the course participants. Your class participation will benefit you and your classmates. The course's first weeks are rather intensive, as you will be investigating and using a variety of legal research sources. The last few weeks will be devoted to the group presentations.

As the value of this course depends upon the interaction between all the participants, punctuality and prepared attendance is required. Attendance will be circulated at class' beginning. It is the responsibility of each student to sign the Registrar's attendance sheet. Please note that this class is held once a week so excessive absences, any unexcused absences twice or more from class, will result in a ½ grade drop. It is imperative that a student notify the professor of any absence or lateness as early as possible so any alternative arrangements may be made. I will endeavor to make any reasonable accommodation when given notice in a timely manner.

Grading:

A student's final grade is derived from the group presentation (50%), the group's final paper (20%) and the individual's assignments (30%) [minus any absences accrued because of failure to adhere to the attendance policy].

Group Presentation: Each team will discuss the legal research strategy employed for addressing the problem. Team members will talk for at least 15 minutes. The presentation's format is selected by each team. It does not matter what format is used. The group presentation must address **the process used** to investigate the problem **not the ultimate legal solution**.

Group Paper: Each group shall complete a twenty (20) page paper due on the last day of class. The paper discusses the research strategy used by the group when addressing the course problem. Insights into the research process (i.e., dead-ins, thoughts of how something could be done differently and paths to research one had never done before this time) are required in your paper. The Paper will include a detailed bill of the billable hours of each group member. If the group total bill is over the dollar amount given to the group this will not detrimentally affect one's grade. If one cheats on their billing this will only cheat the member and one's classmates. It also is an exhibition of a lack of professionalism.

Individual Assignments: There will be a series of assignments using each individual legal research source. There will also be three assignments that group several sources:

1. Secondary sources – encyclopedias, *American Law Reports*, law reviews, looseleaf services, *Restatements* and treatises,
2. Primary sources – cases, statutes, executive orders, administrative materials and legislative history,
3. Web sites and non legal sources.

Assignments will be turned in electronically via TWEN. Collaborate work is fine; however, note your fellow collaborators as this copy will be graded. Assignments will be discussed in class. If you do not have 24 hour/day access to the Internet, please tell me at the course's beginning so alternative arrangement can be made.

Computer Usage and Classroom etiquette:

Classroom laptop usage is encouraged as we will frequently view electronic legal research sources. Please be aware that if you are on your computer looking at YouTube, writing email or interacting with other sites your fellow classmates may be distracted and not focus on the classroom discussion. Usage of electronic devices for other purposes is very distractive, disruptive and exhibits a lack of professionalism.

Please be respectful of all comments made during class. Show courtesy to all and act in a professional manner. Please do not behave in such a way that your fellow classmates contact me and/or I see your behavior and call you in to discuss your behavior.

TWEN:

You need to register for this course's TWEN page. All updates and modifications to course materials are on TWEN and it is the responsibility of each student to review the TWEN site for updates. Discussion questions and assignments will be posted on TWEN. CALI lessons are included on the TWEN site.

The preferred method of assignment submission is via TWEN. Try not to wait until the last minute to submit your materials: If you have any submission troubles TWEN resources are staffed 24/7 daily. If you are unable to access TWEN please let me know so alternative arrangements can be made.

TWEN Technical support 1-800-850-9378
Send an email (mailto:west.support@thomson.com)
TWEN Non-technical support 1-800-486-4876
Send an email (mailto:west.twensupport@thomson.com)

Class schedules:

If there are any additional readings added, or any other changes, notification will be sent to all course participants via TWEN. They also will be announced in class.

Week One **August 13, 2010**
Part I – Course Guidelines and Introduction to the Research Strategy

Discussion of Course Guidelines and Presentation Requirements
Presentation group members as chosen by class members
Library Tour

Readings: Getting started and knowing where to find the law
Chapters 1 (Getting Started) and 15 (Where the law is) of the text

Assignment: Discussion of 'Customized Polling,' Assignment #1, due in class. Poll is found on TWEN.

Part II – Electronic databases refresher

Weeks Two and Three **August 20, 2010 and August 27, 2010**
Secondary Sources

Readings: Chapters 4 (law reviews), 6 (treatises, encyclopedias and *American Law Reports*), and 9 (looseleaf services) of the text

Assignments: Electronic database materials, Assignment #2, due August 19th via TWEN
Secondary sources materials, Assignment #3, due August 26th via TWEN

September 3, 2010 No Class - Labor Day Holiday

Week Four **September 10, 2010**
US Cases and Statutes

Readings: Chapters 2 (Cases) and 5 (Statutes) of the text

Assignment A: Due September 9th concerning Secondary Sources

Week Five **September 17, 2010**
Legislative History

Readings: Chapter 3 of the text

Assignment: Cases and Statutes, Assignment #4, due September 16th via TWEN

Week Six **September 24, 2010**
Administrative Regulations

Readings: Chapter 8 (administrative law) of the text

Assignment: Legislative History, Assignment #5, due September 25th via TWEN

Week Seven **October 1, 2010**
Executive Orders

Assignment: Administrative Regulations, Assignment #6, due September 30th via TWEN

Week Eight **October 8, 2010**
The Internet: How Do You Use all of these FREE Web Sites?

Assignments: Executive Orders, Assignment # 7, due October 7th via TWEN
Favorite web sources to be discussed in class

Week Nine **October 15, 2010**

Primary and Secondary Sources and using the Free Web Sites: How Do You Use all of these sources to research your problem effectively?

Assignment B: Due October 14th concerning Primary Sources

October 22, 2010 No Class - MID-TERM BREAK

Week Ten **October 29, 2010**
Billing, Legal Ethics and ABA and State Rules

Readings: Chapters 10 (court rules) and 11 (legal ethics research) of the text

Week Eleven **November 5, 2010**
International and Foreign Law
How do you investigate the laws of another nation?
When does one look at the United Nations materials?
Do the laws of regional entities govern your situation?
What are NGOs and IGOs?

Readings: Chapters 12 (foreign law) and 13 (international law) of the text

Assignment C: Due November 4th concerning Web and non legal sources

Week Twelve **November 12, 2010**

Group Presentations

Week Thirteen **November 19, 2010** **Last Class: Wrap Up**

Group Presentations